

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN THISSEL and CHRISTOPHER
JOHNSON,

Defendants.

CASE NO. 2:24-cr-00138-LK

**ORDER REGARDING MOTIONS
FOR APPOINTMENT OF
LEARNED COUNSEL AND CJA
FEES, DKTS. 80 AND 84**

Defendants Kevin Thissel (“Thissel”) and Christopher Johnson (“Johnson”) are charged in Count 1 with Racketeering, with underlying Racketeering Acts of kidnapping, robbery, and murder, and in Count 2 with Conspiracy to Commit RICO. Dkt. 1.

On July 9, 2025, the Court granted Thissel’s motion for appointment of Learned Counsel, on the grounds the current charges allowed the government to seek capital punishment, and Thissel’s lawyers claimed they lacked the qualifications to provide representation as “Learned Counsel” under 18 U.S.C. § 3005. Dkt. 83.

On July 14, 2025, Johnson filed a motion to designate as Learned Counsel Jacqueline Walsh, who is one of his current lawyers, and to compensate both Ms. Walsh and Defendant’s other lawyer Rachel Forde at the capital compensation rate. Dkt. 84.

1 Having considered Johnson's motion and the record, the Court **FINDS** and **ORDERS**:

2 1. The Court **GRANTS** Johnson's motion that Ms. Walsh, be designated as Learned
3 Counsel. No separate appointed is necessary because Ms. Walsh already represents Johnson.

4 2. Under the Court's CJA Plan, "capital cases" are defined as cases that include
5 "prosecutions under any provision of federal law carrying the **potential penalty of death.**" *See*
6 General Order 13-24, Adopting Amended Criminal Justice Act Plain, Section XII Special
7 Provisions for Capital Cases (A) (emphasis added). The Court accordingly **GRANTS** the request
8 that all appointed counsel in both Thissel's and Johnson's cases be compensated at the capital
9 counsel rate.

10 3. If it is determined that Defendants no longer face the possibility of capital
11 punishment, the appointment of Thissel's Learned Counsel, and the status of Ms. Walsh as
12 Johnson's Learned Counsel will terminate, and compensation at the capital rate for all counsel
13 shall cease.

14 DATED this 15th day of July, 2025.

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17 BRIAN A. TSUCHIDA
United States Magistrate Judge